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February 24, 2023

VIA ECF

Honorable Katherine Polk Failla
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED

**RE: CNA Insurance Company Limited v.
Courier Express Atlanta, Inc.
1:22-cv-10573-KPF
(NHS File No. 00001563 VW)**

Dear Judge Failla:

We represent the plaintiff in the above referenced action. We write on behalf of both parties to respectfully request a second 30-day extension of time for defendant Courier Express Atlanta (“Courier Express Atlanta”) to answer the Complaint. The parties also request an adjournment of the initial conference currently scheduled for March 3, 2023 at 4:00 p.m.

The reason for the requested extension of time is that the parties are actively engaged in productive settlement discussions and are optimistic that the case may be settled without further court intervention. Plaintiff is agreeable to another 30-day extension of time for defendant to respond to the complaint while the parties continue to discuss settlement. Accordingly, the parties respectfully request that the time for defendant to respond to the complaint be extended until March 26, 2023, with the initial conference (and corresponding deadlines for the joint status report and proposed scheduling order) be adjourned until shortly after that date.

This is the second request for an extension of time in this matter.

We thank the Court for its time and consideration of this matter. Please do not hesitate to contact the undersigned with any questions or comments.

Respectfully submitted,

NICOLETTI HORNIG & SWEENEY

By:


Val Wamser

CC:

All Counsel of Record via ECF

Application GRANTED. Defendant shall answer or otherwise respond to the Complaint on or before **March 26, 2023**. Additionally, the initial conference currently scheduled for March 3, 2023 is hereby ADJOURNED to 12:00 p.m. on **April 5, 2023**.

The Clerk of Court is directed to terminate the motion at docket entry 11.

SO ORDERED.

Dated: February 24, 2023
New York, New York



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE